

**Research, Education, and Economics**  
**ACCEPTANCE OF FREE ATTENDANCE AT WIDELY-ATTENDED GATHERINGS**  
(See reverse side to determine whether you need to complete this form.)

**PART A: TO BE COMPLETED BY EMPLOYEE**

Employee's Name		Title
Name/Description of Event		Location of Event
Purpose of Event		
Sponsor(s) of Event	Source of Free Attendance	
Approximate Value	Date(s) of the Event	Time/Length of Event

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

**PART B: TO BE COMPLETED BY THE DESIGNATED ETHICS ADVISOR**

Check Appropriate Box:

I hereby ☐ Approve ☐ Disapprove the above employee's acceptance of free attendance (including but not limited to food and refreshments) to this event. In granting this approval (if applicable), I have determined that:

1. The employee's attendance at this event is in the interest of the Agency because it will further the Agency's programs or operations.
2. The Agency's interest in the employee's participation in this event outweighs the concern that acceptance of the gift of free attendance may or may not appear to improperly influence the employee in the performance of his or her official duties.
3. The event is a widely-attended gathering of mutual interest to the government and the private person(s) or organization(s) sponsoring or attending the event.

\_\_\_\_\_  
ETHICS ADVISOR'S SIGNATURE

\_\_\_\_\_  
DATE

## **INSTRUCTIONS**

Employees are encouraged to use this form to request and to document approval or disapproval for acceptance of free attendance from a prohibited source at widely-attended events.

Acceptance of free attendance from a prohibited source at an event that is not widely-attended is prohibited when the value of the free attendance exceeds \$20 per event. See 5 CFR 2635.201-205 and DEFINITIONS below.

## **DEFINITIONS**

**WIDELY-ATTENDED EVENTS:** Means a gathering that is opened to members throughout a given industry or profession or for which those in attendance represent a range of persons interested in a given matter.

Representatives from companies that are members of an association that sponsors a business event with the U.S. Department of Agriculture (USDA) are considered representatives of their respective companies and not representatives of the association.

**ETHICS ADVISOR:** Means the employee's designated ethics advisor.

**PROHIBITED SOURCE:** Means any person (individual or organization) who:

1. Is seeking official action by the employee's agency;
2. Does business or seeks to do business with the employee's agency;
3. Conducts activities regulated by the employee's agency;
4. Has interests that may be substantially affected by performance or nonperformance of the employee's official duties; or
5. Is an organization a majority of whose members are described in items 1 through 4.

In addition, the agency ethics advisor may determine that an individual or entity is a prohibited source based on a concern for the appearance of a conflict of interest. For example, an individual or organization that offers an employee free attendance solely because of the position the employee holds may be a prohibited source.

Prohibited source includes a professional, trade, or business association, a majority of whose members are regulated by, or do, or seek to do business with USDA. The term also includes a foreign or domestic business, or a representative of such a business that is seeking a benefit or action such as a contract, permit, or license from USDA.

**FREE ATTENDANCE:** Free attendance may include waiver of all or part of a conference or other fee or the provision of food, refreshments, entertainment, instruction, and materials furnished to all attendees as an integral part of the event. It does not include travel expenses, lodgings, entertainment collateral to the event, or meals taken other than in a group setting with all other attendees.

**Please note: The definitions and requirements of this form are based primarily on Governmentwide regulations contained in 5 CFR 2635.203(d) and 2635.204(g).**